

## **REMARKS**

**[0004]** Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 CFR. § 1.116 as they place the application in better form for appeal, or for resolution on the merits.

**[0005]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-24, 26-28 and 33-38 are presently pending. Claims amended herein are 1, 13 and 33. Claims withdrawn or cancelled herein are 25 and 29-32. No new claims added herein.

### **Statement of Substance of Interview**

**[0006]** The Examiner graciously talked with me—the undersigned representative for the Applicant— on December 10, 2008 . Applicant greatly appreciates the Examiner’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0007]** During the interview, I discussed how the claims differed from the cited references, namely the primary reference, US Patent 6,324,335 to Kanda (Kanda). Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0008]** I understood the Examiner to tentatively agree that independent claims 1, 13, and 33 (and their dependent claims) would be patentable over the cited art if amended as discussed during the interview.

**[0009]** In particular, it was discussed that Kanda does not teach or suggest a single time code number. As pointed out by the Examiner in the Action, Kanda teaches an "IN-POINT TIME-CODE DATA" and an "OUT-POINT TIME-CODE DATA". The claims have been amended to include the feature that the time code data is a single time code data.

**[0010]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited references of record for at least the reasons discussed during the interview.

#### **Formal Request for an Interview**

**[0011]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can discuss this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0012]** Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **Claim Amendments**

**[0013]** Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 13, and 33 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and to more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

## **Substantive Matters**

### **Claim Rejections under § 102 and/or § 103**

[0014] Claims 1-24, 26-28 and 33-38 are rejected under 35 U.S.C. § 102 and/or § 103. In light of the amendments presented herein and the decisions/agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

## **Conclusion**

[0015] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC  
Representatives for Applicant

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